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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

MERRICK JOSE MOORE,  
Plaintiff,  
v.  
GIPSON, et al.,  
Defendants.

Case No. 1:13-cv-01820-BAM (PC)  
**ORDER SETTING TELEPHONIC STATUS  
CONFERENCE**  
**Date: August 21, 2018**  
**Time: 10:00 a.m.**

Plaintiff Merrick Jose Moore (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s Eighth Amendment claims for excessive force against Defendants Meier, Casas, Childress, and Adams, and for failure to intervene against Defendants Ford and Thornburg.

Currently pending before the Court is Plaintiff’s request for a court order directing prison officials to comply with his discovery requests, filed June 14, 2018. (ECF No. 82.) This motion is the most recent filing relating to a lengthy and ongoing discovery dispute between the parties. In brief, Defendants contend that Plaintiff has failed to serve supplemental discovery responses, despite the Court’s order granting their motion to compel. Plaintiff, in turn, contends that he cannot provide supplemental discovery responses because of multiple transfers between institutions, thus depriving him of access to his legal property.

On June 20, 2018, the Court directed the parties to meet and confer regarding the ongoing discovery dispute, and to file a joint statement following the meet and confer. (ECF No. 83.) As the parties were unable to meet and confer, the Court set a telephonic status conference for July 24, 2018. At the status conference, the parties agreed that defense counsel would contact the

1 litigation coordinator at the institution where Plaintiff is housed to facilitate Plaintiff's review of  
2 his files, including Plaintiff's medical file, central file, and administrative grievances, and file a  
3 status report by August 7, 2018. (ECF No. 89.)

4 Pursuant to the status report filed by defense counsel, it appears that a further telephonic  
5 status conference is appropriate. Plaintiff will have the opportunity to respond to Defendants'  
6 status report on the record at the status conference. The parties shall be prepared to address  
7 whether any supplemental discovery responses have been sent to or received by Defendants, and  
8 what items, if any, are still necessary for Plaintiff to provide supplemental discovery responses to  
9 Defendants.

10 Accordingly, IT IS HEREBY ORDERED that this matter is set for a telephonic status  
11 conference on **August 21, 2018, at 10:00 a.m.** before the undersigned. The parties shall appear  
12 telephonically by using the following dial-in number and passcode at the time set for the hearing:  
13 dial-in number 1-877-411-9748; passcode 3190866. Counsel for Defendants is required to  
14 arrange for Plaintiff's participation by contacting the litigation coordinator at the institution where  
15 Plaintiff is housed.

16  
17 IT IS SO ORDERED.

18 Dated: August 8, 2018

/s/ Barbara A. McAuliffe  
19 UNITED STATES MAGISTRATE JUDGE